

REMARKS

Entry of the foregoing and reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. §1.112, are respectfully requested in light of the following remarks.

Claims 1-2, 5-7, 9-11, 13-15, 17-19, 21, 38, 39 and 41-69 remain in this application. Claim 2 has been amended to correct an obvious clerical error. No new matter has been introduced.

The Examiner has made a two-way restriction requirement between the following: Group I, Claims 1-2, 6-7, 9-11, 13-15, 17-19, 21, 45-48, 50-61 and 68-69 drawn to a method for combating skin pallor resulting from stress; and Group II, Claims 5, 38-39, 41-44, 49 and 62-67 drawn to a topically applicable cosmetic/dermatological composition. In response, applicants hereby elect, with traverse, Group I. As indicated by the Examiner, Claims 1-2, 6-7, 9-11, 13-15, 17-19, 21, 45-48, 50-61 and 68-69 read on the elected invention.

The restriction requirement is traversed because it is believed that the fields of search, to be complete, would need to be coextensive, and therefore the non-elected claims could be examined along with the elected claims without placing an undue burden on the Examiner. Reconsideration and withdrawal of the restriction requirement and examination of all of the claims on the merits are believed to be in order and are earnestly solicited.

The Examiner has also required election of species. It is not clear from the Examiner's comments at the bottom of page 3 of the Official Action if election of species is required only in the case of election of the composition claims. However, in the event that the Examiner intended that the election of species requirement also

pertains to the elected Group I method, applicants elect the method in which there is applied with the manganese at least one hydroxy acid. At least Claims 1, 2, 6-7, 9-11, 13-15, 17-19, 21, 45-46, 48, 56-61 and 69 read on the inclusion of a hydroxy acid in the composition applied. In addition, Claims 47, 50-55 and 68 use "comprising" language and are therefore open to the inclusion of additional unspecified ingredients (such as hydroxy acids) in the composition applied.

Nevertheless, the election of species requirement is traversed because election of species normally presupposes that a generic claim is not allowable and no art has been adduced which would militate against the allowance of a generic claim herein, for example Claim 1 or 2. Reconsideration and withdrawal of this requirement is also respectfully solicited.

Respectfully submitted,

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